

AN ACT CONVERTING THE CLAVERIA NATIONAL RURAL HIGH SCHOOL IN THE MUNICIPALITY OF CLAVERIA, PROVINCE OF MISAMIS ORIENTAL, INTO A STATE COLLEGE TO BE KNOWN AS THE MISAMIS ORIENTAL...

BATAS PAMBANSA BLG. 402, June 10, 1983

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Be it enacted by the Batasang Pambansa in session assembled:

SECTION 1. Conversion of the Claveria National Rural High School into a State College.—The present Claveria National Rural High School, located in the Municipality of Claveria, Province of Misamis Oriental, is hereby converted into a state college to be known as the Misamis Oriental State College of Agriculture and Technology, hereinafter cited as the State College.

SEC. 2. Purposes and Objectives.—The State College shall primarily provide higher technological, professional, and vocational instruction and training in the fields of agriculture, industry as well as in the arts and sciences, consistent with the goals for national development. It shall also promote research, advanced studies and progressive leadership in the various disciplines and areas of specialization.

SEC. 3. Curriculum.—In addition to its present secondary curriculum, the State College shall offer undergraduate and graduate courses in the fields of arts, sciences, education, agriculture, forestry, engineering, industry, and such other courses as may be necessary to meet national and regional needs for trained manpower.

SEC. 4. Prohibition.—No student shall be denied admission to the State College by reason of sex, ethnic consideration, religious belief or affiliation.

SEC. 5. The Vocational College Superintendent of the State College.—The State College shall be headed by a Vocational College Superintendent who shall be appointed by the President of the Philippines upon the recommendation of the Board of Trustees created under the next succeeding section hereof.

The powers and duties of the Vocational College Superintendent of the State College, in addition to those specifically provided for in this Act, shall be those usually pertaining to the office of a president of a state college. His salary shall be fixed by the Board of Trustees in an amount comparable to that being received by presidents of similar state colleges or educational institutions of like enrollment and standing.

SEC. 6. The Board of Trustees.—The State College shall be governed by a Board of Trustees to be composed of the Minister of Education, Culture and Sports as chairman and with the Regional Director of the National Economic and Development Authority, the Vocational College Superintendent of the State College, and four (4) prominent citizens of Region X to be appointed by the President of the Philippines as members.

Of the four appointed members, one shall be an authority in science, one in agriculture, one in arts and trades, and one in technology. Of the first group appointed, the President of the Philippines shall designate one to serve for one year, one to serve for two years, one to serve for three years, and one to serve for four years. Thereafter, persons appointed to succeed such members shall hold office for a term of four years and until their successors,

who should be experts, in the same fields, shall have been appointed and qualified. In case of permanent vacancy, the position shall be filled by appointment by the President of the Philippines. Such appointee shall hold office for the unexpired term only.

In the event that the Minister of Education, Culture and Sports is unable to perform his duties as chairman of the board due to illness, absence or other cause, or in case of a vacancy in the office, the Deputy Minister of Education, Culture and Sports shall temporarily perform the functions of the chairman of the said board. The chairman may assign qualified officials to represent him with full authority in the board.

SEC. 7. Quorum.—A quorum of the Board of Trustees shall consist of a majority of all the members holding office at the time a meeting is called. All processes against the Board of Trustees shall be served on the Vocational College Superintendent or Secretary thereof.

SEC. 8. Allowances.—The members of the Board of Trustees shall be entitled to an allowance of one hundred pesos per meeting actually attended but not more than three hundred pesos a month: Provided, That they shall be reimbursed for actual and necessary expenses incurred either in attendance upon meetings of the board or upon other official business authorized by resolution of the board subject to existing budget laws on honoraria and allowances.

SEC. 9. Powers and Duties of the Board of Trustees.— The Board of Trustees shall have the following powers and duties, in addition to its general powers of administration and its powers exercised by boards of trustees in corporations as provided in Section 36 of Batas Pambansa Blg. 68, otherwise known as the Corporation Code of the Philippines:

(a) To receive and appropriate for the purposes specified by law such sums as may be provided for the support of the State College;

(b) To confer degrees upon successful candidates for graduation of the State College. It may also confer honorary degrees upon persons in recognition of meritoriousness, statesmanship, or eminence in any of the fields of specialization of the State College, or in recognition of public service: Provided, That such degrees shall not be conferred in consideration of or to reciprocate some personal favor;

(c) To authorize the Vocational College Superintendent of the State College to award proficiency certificates or diplomas to students who have completed non-degree courses;

(d) To appoint, on recommendation of the Vocational College Superintendent of the State College, a vice president, deans, directors, secretary of the State College, registrar, heads of departments, professors, instructors, lecturers and other officials, and employees of the State College; to fix their compensations subject to P.D. No. 985 and other pertinent budget and compensation laws, hours of service, and such other duties and conditions as it may deem proper; to grant to them, in its discretion, leaves of absence under such regulations as it may promulgate, any provision of existing law to the contrary notwithstanding; to remove them for cause after an investigation and hearing; to establish Chairs in the State College, and provide for the maintenance or endowment of such Chairs as may be necessary;

(e) To approve the curricula and rules of discipline drawn by the College Council as hereinafter provided;

(f) To provide fellowships for qualified faculty members and scholarships to deserving students;

(g) To prescribe rules for its own government and enact for the government of the State College such rules and regulations, not contrary to law, as may be necessary to carry out the purposes and functions of the State College;

(h) To receive in trust legacies, gifts, and donations of real and personal property of all kinds, to administer the same for the benefit of the State College, or the departments thereof, or for aid to any student or students, in accordance with the directions and instructions of the donor, and in default thereof, in such manner as the Board of Trustees may in its discretion determine. All such donations shall be exempt from all taxes and be considered as deductible items from the income tax of the donors;

(i) To authorize the State College to undertake construction and/or repair of its buildings, machinery and equipment and other facilities, any provision of law or executive order to the contrary notwithstanding: Provided, That the funds for the purpose shall come from its appropriation.

SEC. 10. Progress Report.—On or before the fifteenth day of the second month after the opening of regular classes each year, the Board of Trustees shall file with the Office of the President of the Philippines a detailed report, setting forth the progress, conditions, and needs of the State College.

SEC. 11. The College Council.—There shall be a College Council consisting of the Vocational College Superintendent of the State College and all members of the faculty with the rank of professor. The Council shall have the power to recommend students or others to be recipients of degrees. Through the Vocational College Superintendent of the State College or its duly authorized committee, the Council shall have disciplinary power over the students within the limits prescribed by the rules of discipline.

SEC. 12. The Faculty.—The body of instructors and professors of the State College shall constitute the faculty of the State College.

The faculty shall be covered by appropriate civil service rules and regulations.

SEC. 13. Prohibitions.—No member of the faculty of the State College shall attempt directly or indirectly, under penalty of dismissal by the Board of Trustees, to influence students or any person in the State College towards any ideology, political or otherwise, which preaches the overthrow of the government through violence or subversion.

SEC. 14. The Secretary of the State College.—There shall be a Secretary of the State College who shall be appointed by the Board of Trustees upon recommendation of the Vocational College Superintendent of the State College. He shall also be the secretary of the board and shall keep such records of the State College as may be determined by the Board of Trustees.

SEC. 15. The Treasurer of the State College.—The Treasurer of the Philippines shall be ex officio treasurer of the State College and all accounts and expenses therefor shall be audited by the Commission on Audit or its duly authorized representative.

SEC. 16. Loans and transfers of equipment, supplies and personnel.—Heads of bureaus and offices of the national government are hereby authorized to loan or transfer, upon request of the Vocational College Superintendent of the State College, such apparatus, equipment or supplies as may be needed by the State College and to detail employees for duty therein, when in the judgment of the head of the bureau or office such apparatus, equipment, supplies or the services of such employees can be spared without serious detriment to the public service. Employees so detailed shall perform such duty as required under such detail and the time so employed shall be counted as part of their regular official service.

SEC. 17. Transfer of Assets and Records.—All assets of the Claveria National Rural High School, whether fixed or movable, records and personnel, are hereby transferred to the Misamis Oriental State College of Agriculture and Technology.

SEC. 18. All existing appropriations for the Claveria National Rural High School shall be transferred to the Misamis Oriental State College of Agriculture and Technology, to be disbursed in accordance with the provisions of this Act. The necessary sum for the operation and maintenance of the new state college shall be provided for in subsequent General Appropriations Acts, until which time the operation of the institution as a state college shall be deferred, provided that its new name shall take effect upon the approval of this Act.

SEC. 19. The Minister of Education, Culture and Sports shall promulgate rules and regulations and take such steps as are necessary for the immediate implementation of this Act.

SEC. 20. Repealing Clause.—All laws inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 21. Effectivity.—This Act shall take effect upon its approval.

Approved, June 10, 1983.

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